

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

HYPER ICE, INC. and HYPERICE IP SUBCO,
LLC

V.

PERFORMANCE HEALTH SYSTEMS, LLC

CASE NUMBER: 1:24-cv-03304

ASSIGNED JUDGE: Andrea R. Wood

DESIGNATED
MAGISTRATE JUDGE: M. David Weisman

TO: (Name and address of Defendant)

Performance Health Systems, LLC
c/o Kevin R. Krantz
401 Huehl Road, Suite 2A
Northbrook, IL 60062

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Bryan P. Sugar
Lewis Brisbois Bisgaard & Smith LLP
550 West Adams Street, Suite 300
Chicago, IL 60661

an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

Jamie Vicha

(By) DEPUTY CLERK



May 3, 2024

DATE

AO 440 (Rev. 05/00) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____

- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____

- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date *Signature of Server*

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

for the
Northern District of Illinois

Hyper Ice, Inc. and Hyperice IP Subco, LLC

Plaintiff

v.

Performance Health Systems, LLC

Defendant

Civil Action No. 1:24-cv-03304

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Performance Health Systems, LLC c/o Kevin R. Krantz 401 Huehl Road, Suite 2A
Northbrook, IL 60062

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bryan P. Sugar
Lewis Brisbois Bisgaard & Smith LLP
550 West Adams Street, Suite 300 Chicago, IL 60661

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 1:24-cv-03304

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

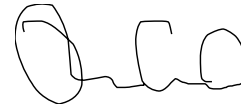
This summons for *(name of individual and title, if any)* Performance Health Systems, LLC c/o Kevin R. Krantz was received by me on *(date)* May 3, 2024, 12:48 pm.

- ☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☒ I served the summons on *(name of individual)* David Ross, who is designated by law to accept service of process on behalf of *(name of organization)* Performance Health Systems, LLC c/o Kevin R. Krantz on *(date)* Thu, May 09 2024; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: 05/09/2024



Server's signature

 Paul Gizel 115-002647

Printed name and title

 518 South IL Route 31, McHenry, IL 60050

Server's address

Additional information regarding attempted service, etc.:

1) Successful Attempt: May 9, 2024, 1:46 pm CDT at Company: 401 Huehl Road Suite 2A, Northbrook, IL 60062 received by David Ross. Age: 55; Ethnicity: Caucasian; Gender: Male; Weight: 160; Height: 5'7"; Hair: Gray; Relationship: Management ;